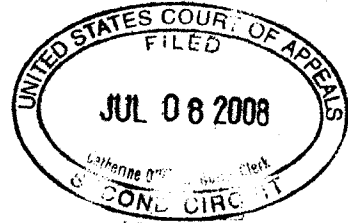


**MANDATE**

DANA FOSTER  
GREEN HAVEN CORR. FAC.  
P. O. BOX 4000  
STORMVILLE, NEW YORK  
12582-0010

July 3, 2008



TO: CLERK of the COURT, Catherine O'Hagan wolfe, Esq.  
UNITED STATES COURT of APPEALS  
UNITED STATES COURTHOUSE  
FOLEY SQUARE  
NEW YORK, N Y 10007

AUG 21 2008

Dear Madam:

This letter is to inform this Court, that I, Dana Foster, Petitioner in the action, entitled: Foster v. Manshell, Docket #07-3184-pr; DC Docket # 07-cv-5844, Hon. Judge Deborah Batts, no longer wish to continue litigation in this Court, and thus request that the aforementioned action be terminated -- taken off this Court's calendar.

Suffice it to say, I now believe this action was commenced in the wrong venue.

Respectfully submitted,

*Dana Foster*

Dana Foster, Petitioner, Pro se.

*Withdrawal of appeal granted.*

For The Court:  
Catherine O'Hagan Wolfe, Clerk

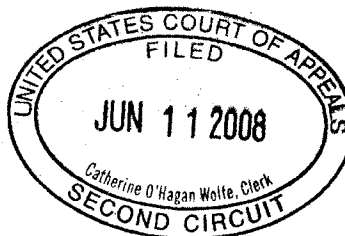
By: *CJ Minus*  
Catherine J. Minus  
Supervisory Staff Attorney

JUL 11 2008

A TRUE COPY  
Catherine O'Hagan Wolfe, Clerk

by

*[Signature]*  
DEPUTY CLERK



ISSUED AS MANDATE

AUG 19 2008